





APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/655,462	09/05/2000	Klaus-Jurgen Nord		8064
759	0 01/07/2003 .			
Horst M Kasper			EXAMINER	
13 Forest Drive Warren, NJ 07059			POPE, DARYL C	
			ART UNIT	PAPER NUMBER
			2632	
			DATE MAILED: 01/07/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

ge

Office Action Summary

Application No. 09/655,462

Applicant(s)

NORD

Examiner

DARYL C. POPE

Art Unit **2632**



1) □ Responsive to communication(s) filed on	The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
THE MAILING DATE OF THIS COMMUNICATION. Extension of time may be available unter provisione of 32 FGR 1.38 (al. In no event, however, may a reply be timely filled after SIX (8) MONTHS from the making date of this communication. If the period for reply specified doors with the provisione of 32 FGR 1.38 (al. In no event, however, may a reply be timely filled after SIX (8) MONTHS from the making date of this communication. If the period for reply specified doors with the provision of 32 FGR 1.38 (al. In no event, however, may a reply be timely filled. Fallure to reply within the set or extended deriod for reply will, by stantian sizes the explication to booms ABANDONED (32 U.S.C. \$ 1.33). Any reply received by the Office later him them sended state the making date of this communication, even if timely filled, may reduce any served patent term edipartment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filled on 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4) Claim(s) I-11 is/are pending in the application. 4a) Of the above, claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) The drawing(s) filled on is/are allowed. 8) claims are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filled on is/are allowed. 11) The proposed drawing correction filled on is/are allowed. 12) approved, corrected drawings are required in reply to this Office action. 12) The cost or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 (a) (d) or (f). a) All b) Some* c) None of: 1 Certified copies of the priority documents have been received in Applicati				-				
Interest the communication. If No period for reply specified device, the meaning attention period will goly within the statutory minimum of thirty (30) days will be considered timely. If No period for reply applicated device, the meaning statutory period will goly and will again SMC (30) MAD/TIS from the mailing date of this communication. If No period for reply is appointed device, the meaning date of the communication (so the period period the period peri	THE N	THE MAILING DATE OF THIS COMMUNICATION.						
If No pried for legh is specified above, the maximum statutory period will apply and will apply and will apply and will apply and will apply so the provided period for reply within the act or extended period for reply will. by statute, cause haspilization bearem ABANDONE (35 U.S. c. 133). Any taply received by the Office leter than three months after the mailing date of this communication, even if timely filed, may reduce any semend period trans engletiment. See 37 CPR 1.70461. Responsive to communication(s) filed on	mailing	mailing date of this communication.						
1) Responsive to communication(s) filed on 2e This action is FINAL. 2b This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-11	- If NO p - Failure - Any re	period for reply is specified above, the maximum statutory period will apply ai to reply within the set or extended period for reply will, by statute, cause the ply received by the Office later than three months after the mailing date of th	and will expire SIX (6) he application to become) MONTHS from ABANDO	rom the mailing date of this communication. ONED (35 U.S.C. § 133).			
2a] ☐ This action is FINAL. 2b] ☑ This action is non-final. 3] ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4] ☑ Claim(s) 1-11	Status							
3	1) 🗌	Responsive to communication(s) filed on			·			
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11; 453 O.G. 213. Disposition of Claims 4) Claim(s) <i>1-11</i>	2a) 🗌	This action is FINAL . 2b) 💢 This action	tion is non-final	l.				
All	3) 🗆							
day of the above, claim(s) is/are withdrawn from consideration.	Disposit	tion of Claims						
Si/are allowed. Si/are rejected. Si/are rejected. Si/are objected to. Si/are objected to by the Examiner. Application Papers The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Si/are objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Si/are objected to drawing orrection filed on	4) 💢	Claim(s) <u>1-11</u>			is/are pending in the application.			
Size Fize Size	4	a) Of the above, claim(s)			is/are withdrawn from consideration.			
Claim(s)	5) 🗆	Claim(s)			is/are allowed.			
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on	6) 💢	Claim(s) <u>1-11</u>			is/are rejected.			
Application Papers 9)	7) 🗆	Claim(s)			is/are objected to.			
9 ☐ The specification is objected to by the Examiner. 10 ☐ The drawing(s) filed on	8) 🗆	Claims	are	subject	to restriction and/or election requirement.			
The drawing(s) filed on is/are a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) □ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some* c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14 □ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) □ The translation of the foreign language provisional application has been received. 15 □ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) Improview Summary (PTO-413) Paper No(e)	Applica	tion Papers						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on	9) 🗆	The specification is objected to by the Examiner.						
11) ☐ The proposed drawing correction filed on	10)	The drawing(s) filed on is/are	a) 🗆 accepte	ed or b)[\sqsupset objected to by the Examiner.			
If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(e). 5) Notice of Informal Patent Application (PTO-152)		Applicant may not request that any objection to the d	irawing(s) be he	ld in abev	yance. See 37 CFR 1.85(a).			
The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13 Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 41 Interview Summary (PTO-413) Paper No(e)	11)	The proposed drawing correction filed on	is	: a)□ a	pproved b) \square disapproved by the Examiner.			
Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some* c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) □ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) □ The translation of the foreign language provisional application has been received. 15) □ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 4) □ Interview Summary (PTO-413) Paper No(e) 2) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) □ Notice of Informal Patent Application (PTO-152)		If approved, corrected drawings are required in reply to this Office action.						
13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-982) 4) ☐ Interview Summary (PTO-413) Paper No(s) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)	12)	12) The oath or declaration is objected to by the Examiner.						
a) All b) Some* c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § \$ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)								
1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § § 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)		13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § § 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(e) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)	a)] All b)□ Some* c)□ None of:						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § § 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)		1. Certified copies of the priority documents have been received.						
application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) The translation of the foreign language provisional application has been received. 15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § § 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	ć	2. Certified copies of the priority documents have been received in Application No						
14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § § 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) 2) ☐ Notice of Dreftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)	application from the International Bureau (PCT Rule 17.2(a)).							
a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)	_							
Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)								
Attachment(s) 1) \(\sum \) Notice of References Cited (PTO-892) 4) \(\sum \) Interview Summary (PTO-413) Paper No(s) 2) \(\sum \) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) \(\sum \) Notice of Informal Patent Application (PTO-152)								
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)								
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)			4) Interview Su	ımmarv (PTC)-413) Paper No(s).			
	$\tilde{\Box}$							
	3) [] info							

Application/Control Number: 09/655,462 Page 2

Art Unit: 2632

DETAILED ACTION

ART REJECTION:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Lyon(6,086,254).
- -- In considering claims 1-11, the claimed subject matter that is met by Lyon includes:
- 1) the claimed method for monitoring the region of rolling bodies is met(see: column 3, lines 1 et seq).

Conclusion

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314(for formal communications intended for entry)

Art Unit: 2632

and as well:

(703) 872-9314(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daryl C. Pope whose telephone number is (703) 305-4838. The examiner can normally be reached on M-Th from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (703) 308-6730. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Daryl C. Pope

Dec. 12, 2002

PRIMARY EXAMINER